

**LODI TOWNSHIP BOARD OF TRUSTEES
SEPTEMBER 9, 2008 – 7:30 P.M.
REGULAR MEETING
LODI TOWNSHIP HALL**

The meeting opened with the flag pledge at 7:30 p.m.

Roll Call of the Board: Crowner, Radecki, Rentschler, Foley, Lindemann, Godek, and Masters. Also present Attorney O'Jack, Planning Chair John Steeb and 5 other citizens.

Moved Foley, seconded Masters to approve the Consent Agenda. Discussion followed. After questions concerning investments and the Municipal Civil Infractions report the board voted to approve the consent agenda as follows:

Consent agenda included

1. August Board Minutes
2. Investment Report (Treasurer's Report)
3. Zoning Compliance Report
4. Planning Commission Minutes
5. Municipal Civil Infractions Report
6. Payment of Bills

Motion Carried.

PUBLIC COMMENT – offered at 7:35 p.m. None.

REVISED AGENDA - Moved Masters, seconded Foley to add a budget amendment and remove the blight ordinance from the agenda and to move the discussion on a health care program to first on the agenda. Carried.

HEALTH CARE - Discussion held on possibly doing some kind of health care or other benefits for the top three officials. Foley volunteered to get information for the board next month.

UNFINISHED BUSINESS

- 1. Cemetery Ordinance** - Moved Masters seconded Lindemann to adopt The Lodi Township Cemetery Ordinance 2008-004 by adopting Resolution 2008-008. Roll Call Vote: Aye: Crowner, Lindemann, Masters, Radecki, Foley, Rentschler, and Godek. Nay: None. Absent/Abstain: None. Ordinance and Resolution adopted.

After the adoption, Mr. O'Jack found an error in the effective date. Moved Masters, seconded Foley to adopt the Ordinance 2008-004 changing the effective date to thirty (30) days after publication. Roll Call Vote: Aye: Foley, Rentschler, Godek, Crowner, Lindemann, Masters, and Radecki.

- 2. Waterland Trucking Rezoning**- Ordinance 2008-002. Moved Masters, second Foley to approve the zoning change for reasons previously stated. Roll Call Vote: Aye: Radecki, Foley, Rentschler, Godek, Crowner, Lindemann, and Masters. Nay: None. Absent/Abstain: None. Carried.

- 2. Cedar Ridge** - The Board took a 15 minute recess for Mr. Crowner to go home and get the Findings of Fact regarding Cedar Ridge that the Planning Commission used for their review. Moved Radecki, seconded Foley to return to the meeting. Carried. Mr. Crowner handed out his findings of fact regarding Cedar Ridge. They are as follows:
1. This Special Use was begun prior to the application for a Special Use Permit and in violation of the Ordinance, Section 11.03. (See advertising brochure prior to application date).
 2. On 6/18/04, an application for a Special Use Permit was made.
 3. On 8/27/04, a Public Hearing was held.
 4. On 10/7/04, a letter was received from the WCRC regarding the driveway stating that a new permit would be required if a new building were added or traffic volume changed.
 5. On 5/23/05, a 180 ft. by 62 ft. indoor riding arena without approved sanitary facilities was built without approval.
 6. On 6/23/05, construction was temporarily stopped by order of the County.
 7. On 8/19/05, the Township Clerk sent a letter advising that the sign was illegal and full disclosure of use had not been made.
 8. Subsequently over the years the Planning Commission has reviewed site plans at various times all of which were deficient in various ways.
 9. Within the current year John Cooch has been granted several postponements of the final decision because of health issues as well not attending without notice.
 10. On 8/19/08, at a meeting with Robert Crowner, Don Pennington and John Cooch, his response to a list of eight items on his current plan that needed answers was reviewed. These included revisions to the drawing for a new driveway, yard setbacks, landscaping, use of adjoining barns, sign, drainfield easement, the number of horses on the property, and approval required by the WCRC for the driveway. He was advised that revisions and answers would be required by 8/22/08.
 11. As of 8/25/08, the required revisions and permits had not been received.

The Planning Commission recommended that the application be denied. Moved Radecki, seconded Crowner to accept the Planning Commission's recommendation. Discussion followed.

Setbacks are not accurate on the plan. No sign is to be used (still shows on the plan). Second driveway shows on the plan with the width but doesn't show the setback from the property line. Was going to put on what he was going to do with the berm. Tell us what the landscaping will be on the berm. He was questioned about where the dirt comes from. That has not been addressed. Ordinance requires that information be supplied to the township. (Most of the dirt came from Lee Road, Woodridge Court, hauled in by Frank's trucking. Some also came from the road commission. Questions also asked about adjoining property that is showing on the site plan for the special use permit. Questions also were raised about possibility of a shared driveway and the increased use.

Don Pennington gave Mr. Cooch a list of items that needed to be address. The meeting was August 19, 2008. The list was agreed upon and the drawings and permits were to be done by Friday of that week. Mr. Cooch is still waiting for the Road Commission permits.

Another issue is the unpaid review fees. He needs to pay the fees before the final decision is done.

Roll Call on the motion: Aye: Crowner, Radecki. Nay: Rentschler, Godek, Lindemann, Masters, and Foley. Motion failed.

Moved Godek that all of the issues that are outstanding from Don Pennington's list be brought to the board by noon September 29th for review of completeness by Mr. Pennington and the fees Mr. Cooch owes to date are paid with cash or certified check. The township also requires a letter from the hauler of where the material came from to be sure the dirt is not contaminated. Seconded Masters. Carried. 5-2

- 3. Lodi Food Mart** - They were in and met with Don Pennington and Jack Steeb and they requested copy of plans. Nothing has been received from them to date. They were going to tell us how they were going to correct the setbacks etc. Godek will send 2nd notice of violation.

NEW BUSINESS

- 1. Assessor Contract** - Rushton Assessment Service of 4713 Sycamore, Ypsilanti is willing to come back and do Lodi Township assessing. The contract covers August 1, 2008 through March 31, 2009 for \$3,250 monthly. Moved Foley, seconded Masters to approve the contract. Carried.
- 2. OHM Bill for Pheasant Hollow** - A resident contacted the Supervisor regarding the drainage of their neighbor's parcel. The developer let other builders in and they have re-contoured the land causing a drainage problem. We need to find out what builders built the houses and send them the bills, stating the problem they created with re-contouring the parcel/s.
- 3. Frederick Farms** - The Township received a request to meet with a facilitator. The township is not interested in meeting with a facilitator regarding Frederick Farms development. There will be a settlement conference in the court on October 7, 2008 at 2:15 p.m. The board needs to be in attendance. Tentative trial date is set for January 9, 2009.
- 4. Amend Budget** - Moved Masters, seconded Godek to amend the budget as follows: Move \$100 from 101101:726 (general supplies) to 101101:803 (Audit). Carried.
- 5. Public Comment: 9:14 p.m. - none**
- 6. Adjournment** - No other business, the meeting adjourned at 9:15 p.m. Next meeting October 7, 2008 at 7:30 p.m.

Elaine E. Masters
Clerk, Lodi Township